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C O N F I D E N T I A L SECTION 01 OF 03 HARARE 001842

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AF/S FOR BNEULING NSC FOR SENIOR AFRICA DIRECTOR C. COURVILLE

E.O. 12958: DECL: 11/08/2009
TAGS: PGOV PREL PHUM ZI MDC
SUBJECT: MDC SECRETARY-GENERAL ON PARTY TRAVEL,
CAMPAIGNING, INTER-PARTY RELATIONS

REF: (A) HARARE 1787 (B) HARARE 1562

Classified By: Ambassador Christopher W. Dell under Section 1.5 b/d

11. (C) SUMMARY: Movement for Democratic Change Secretary-General Welshman Ncube on November 4 updated poloff

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on the developing itinerary of opposition party leaders, including regional travel and a planned trip by him and Party President Morgan Tsvangirai to the United States in mid-November. He said the party was finalizing a slate of candidates for possible participation in next year's parliamentary elections, which were still scheduled for March. He reported positive developments suggesting a continuing opening of campaign space for the opposition but dismissed South African Government suggestions that the ruling party was preparing to re-engage in inter-party talks on constitutional change. END SUMMARY.

Opposition's Hectic Travel Schedule

- 12. (C) Noube reported that Tsvangirai and party Vice-President Gibson Sibanda were scheduled to be in South Africa November 4, and to meet with heads of state in Nigeria November 6, in Ghana November 8, and in Senegal on November 10. (Note: The delegation also is slated to receive media strategy training from IRI while in West Africa. End note.) They hoped to secure meetings with the presidents of Botswana, Lesotho, and Burkina Faso during that period as well, but scheduling details had yet to be worked out. Noube indicated that the party was getting the cold shoulder from SADC troika member Lesotho, possibly because of the rapport between Foreign Minister Mudenge and the Lesotho foreign minister, who Noube said had been classmates.
- 13. (C) After covering southern and western Africa, the delegation would be joined by Ncube for visits to Brussels, London, Oslo, and Stockholm before travelling to the United States. During the U.S. leg, dates for which were yet to be determined, the delegation hoped to visit the State Department, Capitol Hill, the MDC's Washington Office and Zimbabwe emigre elements, among other interlocutors. The delegation would then swing by Ethiopia (where they hoped to engage the African Union), Kenya, and Tanzania by early December before returning to Zimbabwe.
- ¶4. (C) Noube singled out the Obasanjo meeting as particularly important. He said Obasanjo indicated that he wanted to remain engaged on Zimbabwe, notwithstanding past frustrations. As the African Union Chair, he could be particularly helpful in engineering a meaningful AU election observation group. Moreover, Nigeria could keep Zimbabwe on the Commonwealth's agenda, notwithstanding Zimbabwe's withdrawal from the organization, and had leverage through a bilateral relationship that was important to Zimbabwe.

Campaign Space Opening Up?

15. (C) Noube reported that he and Deputy Secretary-General Gift Chimanikire would be advancing the party's domestic agenda while the President was abroad. They planned to be addressing rallies and meeting with party district and ward structures in the Midlands in the next few days. Police were becoming notably less obstructive with respect to party meetings. Instead of disapproving applications on specious grounds or never responding and then closing meetings down, police generally were approving meeting requests around the country, with few exceptions. When applications were disapproved, it was usually with some apparent justification and without prejudice to reschedule or to relocate. (Comment: This appeared to continue a trend first reported by Tsvangirai aide Gandhi Mudzingwa in July, ref B. End

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comment.) Local organizers still faced intimidation and disruptions by local ruling party elements, but not as widely as before or with quite the apparent level of official impunity.

16. (C) The Secretary-General did not comment on prospects for MDC participation in the March election or on the party's recent call to delay the election. Nonetheless, he allowed that the party was proceeding with efforts to complete its slate of candidates to participate in the election. The party had identified candidates in about 85 of the 120 parliamentary constituencies. Most of the remaining selections were in the Mashonalands (East, West and Central) with a few left in Harare and Manicaland as well.

Bennet Case Implications

 $\underline{\ }$ 17. (C) Ncube said the eligibility of recently incarcerated MDC MP Roy Bennet to stand for election was murky (ref A). The constitution conditioned an MP's ineligibility on a criminal sentence exceeding six months being imposed by a court, not Parliament (which imposed Bennet's sentence). Of more immediate concern, though, was Bennet's possible expulsion from the body and the holding of a by-election before the March national elections. An MP can be expelled from the body if he is absent without adequate cause (an issue that would be debatable in Bennet's politically charged case) for 21 consecutive days that Parliament is in session. Under the current parliamentary schedule (assuming he could not get a court order freeing him earlier), that would occur in mid-December for Bennet. That would still probably leave inadequate time to conduct a by-election before March. quiet inter-party negotiations, ZANU-PF had proposed to release Bennet from jail in return for his expulsion from Parliament and a declaration of his seat's vacancy. Ncube indicated that the Parliament didn't have the authority to expel him under current law, but that Bennet and the MDC would likely accept his suspension for the remainder of the current term in return for his release. Ncube said that the ZANU-PF offer underscored its interest in trying to get a 2/3 majority before the parliamentary election so it could amend the constitution to its liking without MDC support. (Note: If ZANU-PF is able to capture Bennet's seat, it would still be one seat short of a 2/3 majority. End note.) Ncube was not optimistic about Bennet's chances for release under a high court petition scheduled to be heard on November 9.

ZANU-PF Temporizing on Talks

- 18. (C) According to Ncube, ZANU-PF was still dragging its feet on long-standing discussions about a package of constitutional amendments. Since the MDC publicly announced in July its conditional suspension of participation in elections, the ruling party had backed off from the package tentatively agreed between Ncube and Minister for Justice, Parliamentary and Legal Affairs Patrich Chinamasa. Ncube said that Chinamasa told him that Mugabe himself had scotched further ZANU-PF efforts on the matter. According to Chinamasa, Mugabe had said that the MDC was "taking them for a ride" and would end up reneging on any agreed amendments or demanding more at the last minute.
- 19. (C) Noube maintained that the MDC remained interested in rekindling talks but had little faith in the ruling party's sincerity. The opposition privately had made it clear to ZANU-PF counterparts that the constitutional talks were not linked to the issue of election participation; they would vote for the agreed constitutional changes even before making a decision to participate in the election. Noube said that Tsvangirai had conveyed that message to Mugabe in a letter.

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- 110. (C) Ncube said that SAG interlocutors told the MDC that Mugabe had undertaken to Mbeki on the margins of the UNGA in September that inter-party talks on the constitution would be revived soon. SAG sources later said that the politburo was scheduled to meet on November 3, when Mugabe would bless the recommencement of talks. However, Chinamasa has been unable to confirm any of this to Ncube. When they last spoke earlier in the week, Chinamasa told Ncube to talk to Minister for Security Nicholas Goche, who has since been unavailable. Ncube concluded that these developments were consistent with the ruling party's long-term strategy of using "talks on talks" to string out the SAG and the MDC, appearing to be willing to talk without ever talking meaningfully. Comment
- 111. (C) The ruling party's overarching priority remains to win the March elections and win big big enough to amend the constitution on its own. Nonetheless, the party is stepping up efforts to market its election internationally, at least to the region and its developing world "friends." The MFA convened diplomats from Non-Aligned Movement embassies on November 1 to brief them on election-related developments. At the briefing, Foreign Minister Mudenge rejected MDC demands that the election be delayed and casitigated the EU for planning to condemn Zimbabwe with an UNGA resolution

"based on stale reports from three years ago," a move he alleged indicated that they had prejudged the election. He maintained that Zimbabwe had the region's strongest opposition party and was ahead of most of SADC in implementing SADC's electoral principles - proof of the Government's commitment to multiparty democracy. The reportedly meek response from the audience and muted reaction from regional counterparts will fortify ruling party confidence in its strategy.

- 112. (C) The GOZ can be expected to make additional marginal (but not decisive) improvements in the electoral environment, as the gradual opening of campaign space indicates. The electoral bill's modest reforms received their second reading in the Parliament and elicited little outcry in a recent sparesly attended public hearing conducted on the bill by the parliamentary committee; they will likely pass in the coming weeks, in time to be implemented for the March election. The GOZ reportedly is working on election-related media access rules, but ministers have proclaimed publicly that they will apply only to parties contending in elections an implicit (and mostly disingenuous) enticement for the MDC to participate. The MDC will be challenged to take advantage of these openings to rekindle hope and energy among an electorate that appears increasingly resigned to a ruling party victory.
- 113. (C) The MDC leadership hopes that its ambitious travel agenda will burnish its image at home and abroad, will generate more regional pressure on the GOZ, and will stimulate party fund-raising efforts, particularly with the growing Zimbabwean diaspora. The strategy is not without costs, however. The party will be without much of its leadership at home for a lengthy and potentially important period in the run-up to elections, potentially handicapping its ability to exploit the small openings being afforded it as the ruling party dresses up its election administration. Moreover, the public posturing with Western governments is a double-edged sword it may bolster flagging morale among party faithful but it plays into the hands of the GOZ propagandists, who exaggerate the party's western orientation in playing to unaligned domestic and regional audiences. Finally, few things raise the hackles of travel sanctioned ruling party officials more than high profile opposition globe-trotting. Tsvangirai's publicized meetings abroad could provoke a backlash, including an effort to go after Tsvangirai's passport again in connection with purported

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treason charges. We do not discount the possibility that a backlash could touch us as well; a ZANU-PF official once indicated privately to us that reports he had received from the ANC that the USG was funding MDC travel, if true, could adversely affect bilateral relations.